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June 14, 2011

Via ECF

Honorable Susan D. Wigenton, U.S.D.J.
United States District Court for the District of New Jersey
50 Walnut Street
Newark, New Jersey 07101

Re: Mechin v. Carquest, et al.
Docket No.: 07-5824 (SDW)(ES)

Dear Judge Wigenton:

I represent defendant Voltec Industries, LLC. I write in response to the Certification filed by David Mazie in support of his motion setting legal fees.

Voltec takes no position on plaintiff's motion. However, Voltec disputes Mr. Mazie's self-serving version at paragraphs 5-8 of his certification as to what compelled Voltec to settle the case. Specifically, Voltec disputes plaintiff's comments concerning the strength of his pending Daubert and summary judgment motions as well as what allegedly was shown via the testimony of the UL witnesses. Voltec also contests plaintiff's claim that the defense experts made any significant admissions vis a vis Voltec's liability. In my view, no liability was ever proven as to Voltec and Voltec's summary judgment motion based on the innocent seller doctrine, the lack of design defect evidence and other grounds had a strong chance of success. Voltec also believes that its Daubert motion would have resulted in the preclusion of one or all of plaintiff's experts or theories.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott Haworth". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott Haworth
Haworth Coleman & Gerstman, LLC

SLH/blg

Honorable Susan D. Wigenton, U.S.D.J.

June 14, 2011

Page 2

cc:

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